

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LEONARD WESTON BYERS, JR.,

Plaintiff,

V.

TACOMA POLICE DEPARTMENT, *et al.*,

Defendants.

Case No. C04-5765RBL

**ORDER DISMISSING
PETITION PURSUANT TO
LOCAL RULE CR 41**

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
 - (2) Petitioner's petition is DISMISSED without prejudice;
 - (3) The Clerk is directed to terminate this action pursuant to Local Rule CR 41; and
 - (4) The Clerk is directed to send copies of this Order to petitioner and the Hon. Karen L. Strombom.

DATED this 20th day of April, 2005.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE